



SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER
OF THE STATE BAR OF ARIZONA,

SHERMAN R. BENDALIN,
Bar No. 002344

RESPONDENT.

) Supreme Court
) No. SB-06-0175-D
)
)

) Disciplinary Commission
) No. 04-0972
)
)

) **JUDGMENT AND ORDER**
)
)

This matter having come on for hearing before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision and there having been no discretionary review,

IT IS ORDERED, ADJUDGED AND DECREED that **SHERMAN R. BENDALIN**, a member of the State Bar of Arizona, is hereby censured for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that **SHERMAN R. BENDALIN** shall be placed on probation for a period of one year. Bar Counsel shall notify the Disciplinary Clerk of the date on which the probation begins. The terms of probation are as follows:

- 1) Respondent will be required to attend the State Bar's Trust Account Ethics Enhancement Program and submit to a quarterly review of his trust account management procedures by the Staff Examiner of the State Bar of Arizona or her designee. Such review will include a review of Respondent's monthly three-way reconciliation of his general ledger, client ledgers and bank statement, as well as any additional supporting documentation reasonably necessary to the Staff Examiner's review.
- 2) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information to that effect, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5, Ariz. R. Sup. Ct. The Hearing Officer shall conduct a hearing within thirty days after receipt of said notice, to determine whether the terms of probation have been violated and if an additional sanction should be imposed. In the event there is an allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing evidence.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **SHERMAN R. BENDALIN** for costs and expenses of these proceedings in the amount of \$1,413.75, together with interest at the legal rate from the date of this judgment.

DATED this 28th day of December, 2006.

The foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST

Noel K. Dessaint, Clerk of the Supreme Court
State of Arizona

By Lisha Perry Deputy



NOEL K. DESSAINT
Clerk of the Court

TO:

Sherman R. Bendalin, Respondent (Certified Mail, Return Receipt and Regular Mail)

Mark I. Harrison and Sara Greene, Respondent's Counsel

Amy Rehm, Bar Counsel

Robert J. Lord, Hearing Officer 6L

Lauren E. Eiler, Disciplinary Clerk (Cert. Copy)

Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)

Cathy Catterson, Clerk, United States Court of Appeals for the Ninth Circuit (Cert. Copy)

Richard Weare, Clerk, United States District Court, District of Arizona (Cert. Copy)

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